

REMARKS**Summary of the Office Action**

Claims 20 and 31 stand objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claims 18 and 29, respectively.

Claims 1-3, 5, 6, 14, 17, 18, 20, 28, 29 and 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Nagai et al. (U.S. Patent Application No. 2002/0005863) (hereinafter "Nagai").

Claims 4, 7, 15, 16, 19, 21, 30 and 32 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 8-13, 22-27 and 33-56 are allowed.

Summary of the Response to the Office Action

Applicants have amended claims 4, 7, 15, 19, 21, 30 and 32 in light of the Office Action's indications of allowable subject matter. Applicants have canceled claims 1-3, 5, 6, 14, 17, 18, 20, 28, 29 and 31 without prejudice or disclaimer. Accordingly, claims 4, 7-13, 15, 16, 19, 21-27, 30 and 32-56 remain currently pending for consideration.

Rejection under 37 C.F.R. § 1.75

Claims 20 and 31 stand objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claims 18 and 29, respectively. Applicants have canceled claims 18, 20, 29 and 31 without prejudice or disclaimer, thereby rendering these objections moot. Withdrawal of the objections to these claims is thus respectfully requested.

Rejection under 35 U.S.C. § 102(e)

Claims 1-3, 5, 6, 14, 17, 18, 20, 28, 29 and 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Nagai.

The Examiner is thanked for the indication that claims 8-13, 22-27 and 33-56 are allowed and for the indication that claims 4, 7, 15, 16, 19, 21, 30 and 32, while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In light of this indication of allowable subject matter, Applicants have amended claim 4 to include the features of claim 1, amended claim 7 to include the features of claims 1, 5 and 6, amended claim 15 to include the features of claim 14, amended claim 19 to include the features of claim 17, amended claim 21 to include the features of claims 17 and 20, amended claim 30 to include the features of claim 28, and amended claim 32 to include the features of claims 28 and 31. Applicants have canceled claims 1-3, 5, 6, 14, 17, 18, 20, 28, 29 and 31 without prejudice or disclaimer.

Accordingly, Applicants respectfully submit that remaining claims 4, 7-13, 15, 16, 19, 21-27, 30 and 32-56 are in prima facie condition for allowance. Withdrawal of all outstanding rejections and objections are thus respectfully requested.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the

Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

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By:

A handwritten signature in black ink, appearing to read 'Paul A. Fournier', written over a horizontal line.

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